



HON. ROBERT J. TORRES
CHIEF JUSTICE

Judiciary of Guam

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HON. ALBERTO C. LAMORENA III
PRESIDING JUDGE
JOSHUA F. TENORIO
ACTING ADMINISTRATOR OF THE COURTS

June 10, 2014

Joint Program Office Forward
P.O. 153246
Santa Rita, Guam 96915

Office of the Governor of Guam
Attn: Military Buildup Office (Mark Calvo)
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

Subject: Judiciary of Guam Input/Comment on the Draft Supplemental Environmental Impact Statement (SEIS)

The following general comments are provided for your review and consideration:

The Judiciary of Guam has reviewed comments contained in the Navy's Draft Supplemental Environmental Impact Statement (DSEIS). The report notes several areas in which there are significant shortfalls within our facilities, identifies a lack of equipment to meet the current demands from the organic population growth, and indicates a need for additional resources to adequately service the current population, as well as the projected population growth with the military buildup.

In preparation for the military buildup in August 2008, the Judiciary of Guam, under the leadership of Chief Justice Robert J. Torres, formulated a comprehensive facilities master plan. After engaging in strategic planning months before, a discussion and research ensued to identify the needs of the JOG specifically for capital improvement projects. Consultants Albert Tsutsui, of AIA, Inc., and Design Partners, Inc., were contracted to assist the JOG in completing and releasing the Judiciary of Guam Master Plan (the "Master Plan") on February 15, 2010. Subsequently, our Facilities Master Plan was submitted to and received by the Navy's Joint Program Guam Office and the Naval Facilities Pacific in Hawaii.

The Master Plan incorporated the results of several studies conducted by the National Center for State Courts ("NCSC"), Dr. Catherine Lutz, addressing both the effect of organic population growth and the impact of the relocation of Marines to Guam from Okinawa. The Master Plan is intended to address deficiencies in the judicial center facilities based on current and future needs of the judicial branch.

"The Judiciary of Guam is an equal opportunity provider."

The JOG leadership determined the procurement of such services to be a critical element in planning for the future of our island. This task included professional, expert, and independent services to assist in the complex process of validating calculations, determining sociological impacts and formulas to provide sound conclusions, which would be utilized in our request for resources to meet the growth demands and anticipated facilities and service impacts directly attributable to the military buildup.

The following specific comments with cited pages are provided for your review and consideration:

page 4-121. "Judiciary of Guam and Selected Agencies Affected by Population Growth"

Summary of Judiciary's Needs Assessment and Master Plan, which includes Strategic Projects:

The existing Guam Judicial Center in the capitol of Hagatna is over-burdened. There is an extremely high volume of traffic through the facility, from employees and court patrons alike. The facility houses service providers beyond the judiciary and support staff (e.g., General Administration Division, Marshals Division, Human Resources, Financial Management, Procurement and Facilities Division, Courts and Ministerial Division, Supreme Court, and MIS Division, Probation Services, Client Services and Family Counseling, Court Programs), Guam Bar offices and the FBI National Crime Information Center ("NCIC") Unit. For planning purposes to accommodate both organic growth and the increased military presence, immediate enhancements and modernization of the facility in Hagatna is a necessity, while maintaining the Northern Court Satellite on a lease basis to service the northern population.

Our Master Planning Consultants Albert H. Tsutsui, A.I.A., Inc, and Design Partners Incorporated, in conjunction with the National Center for State Courts, Brown University, Court Management and the Guam Judicial Council analyzed the positive and negative aspects of the military buildup, identified the immediate and long term issues; determined our infrastructure needs, examined the necessary resources to address future concerns, equipment needs and evaluated personnel requirements.

pages 4-123 and 4-148 "Crime and Social Order"

Case Filings:

The attached table represents the case filings over the last twelve (12) years. Since 2001, yearly case filings have varied with an average of about 9,500 cases filed each year. Civil case filings showed a significant decrease between 2003 and 2004 and between 2012 and 2013. Despite the reduction, the overall civil

case filings since 2001 have moderately increased. Criminal case filings have also been steady with a slight increase in criminal felony case filings in 2013. There was a slight decrease in domestic case filings in 2013. Small Claims filings have fluctuated the most since 2001. The lowest mark was in 2012 with only 1,643 cases were filed and the highest point was in 2001 with 3,798 cases filed. There was a slight increase in filings between 2012 and 2013. Over the last five (5) years, juvenile case filings have also fluctuated and have varied each year. All other case types showed relatively stable trends, fluctuating modestly.

Traffic citation filings are also included in the attached report. As indicated, traffic citation filings increased significantly between 2003 and 2011. From 2012 to 2013, traffic citation filings have decreased significantly. The highest point of traffic filings was in 2011 with 14,921 filings. In 2013 however, the number of filings reduced to 11,867. The significant decrease stems from a reduction in traffic enforcement from the police force. The number of traffic filings is dependent on enforcement by the police force and therefore, filings should begin to follow a more stable trend once enforcement increases.

Overall, the cases filings from 2001 to 2013 have been constant with moderate changes from year to year. Although the anticipated increase in population has reduced significantly from the 2010 Final EIS, the projected population increase of nearly 8,000 will impact workloads and case filings, which may result in additional needs of judicial resource. Guam can expect an increase in case filings in proportion to the anticipated increase in population. However, the case filings will likely increase gradually because of the extended and steady construction period and the reduced number of relocated personnel. Increase in case filings will also affect court service demands and future workload. The population increase can be expected to not only increase case filings but also judicial caseload.

pages 4-137, 4-138, 4-139, and 4-144 "Public Services" and "Judiciary of Guam Driven by Population Growth"

Staffing Requirements:

The DSEIS assessment and analysis provides that additional staffing will be required by the Judiciary of Guam in combination with the short-term construction phase and the long-term steady-state period. Though the number may reflect a manageable increase, this maybe more reflective of addressing existing staffing deficits. A more realistic increase of staffing would be in the neighborhood of 4% to 5% over the baseline staffing. In line with our Strategic Plan to address increase of caseloads, as well as additional proposed building components and facilities, will necessitate human resources to manage operations and maintain such facilities.

Impacts resulting from both project/non-project related general population and case load growth would indicate a more likely substantial increase in new staff required. As a Service population service as compared to in the DSEIS, it is imperative that the Judiciary of Guam be supported and included in project-related employment and population forecasts and the identification of federal programs and funding sources in addressing staffing requirements.

Page 140 “...Existing deficits in staff, facilities and equipment, impacts to Judiciary of Guam”

Facilities Equipment and Technology Requirements:

The JOG’s position is to improve existing facilities to prepare for future demands which we are already experiencing with an increasing population. Some of the completed, current and on-going projects have been identified for detail, insight and informational purposes with the intent of seeking financial assistance to address the current impacts which will directly affect the population growth from the military buildup:

Completed Facilities Projects:

- Constructed a new Traffic and Small Claims Court. The Child Support Courtroom was previously utilized and rotated to accommodate the Traffic and Small Claims Court cases. This alleviates the need to share a courtroom, which will increase the efficiency of the Child Support Courtroom.
- Renovate Offices to support the Jury Overflow assembly within the Court Programs area.
- Acquired 92 additional parking spaces (through a temporary license) adjacent at Government of Guam properties nearby the JOG main parking lot, creating additional parking for Jurors who are called to report in for jury duty
- Construction in progress for an Informational Booth (e.g., Justice Service Center) to improve the distribution of court information and provide efficient customer service.
- Established a Northern Court Satellite for Traffic, Small Claims and Criminal Cases.

Ongoing Facilities Projects – Pending funds availability:

- Implement Action Plan to procure a minimum of 1,400 square feet lease space, to house additional operations at the Northern Court Satellite, which would provide adequate space requirements to establish a drug testing office and for Adult Pre-Trial and Probation client check-ins.

Estimated Annual Lease/Utilities Cost	\$ 63,600.00
Estimated Furniture/Equipment Cost	\$120,000.00
Estimated Grand Total Cost	\$183,600.00

- Construct a new Law Library within the JOG premises, and move all Facilities personnel from the Sally Port Area into the existing Guam Law Library facility. This is being proposed to enhance overall court security for the JOG within the Sally Port Area, which will provide Deputy Marshals with strict access control of Department of Corrections transport personnel along with clients/inmates for court appearances.

Estimated Construction Cost	\$1,200,000.00
A/E Cost & Supervision	\$ 200,000.00
Civil & Site Work	\$ 35,000.00
Total Estimated Cost for Construction	\$1,435,000.00

- Construct an estimated 8,900 square foot Northern Court Facility versus leasing the Northern Court Satellite. This 8,900 square footage request is based on the current lease of 7,500 square feet, including the planned expansion of 1,400 square feet mentioned above.

Estimated Construction Cost	\$3,782,500.00
Civil and Site Work	\$ 200,000.00
200 Parking Stalls	\$ 550,000.00
Total Estimated Cost for Construction and Parking (does not include land)	\$4,532,500.00

Estimated Furniture/Equipment Cost (as reflected above under 1400 sq. ft. lease request)	\$ 120,000.00
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Estimated Grand Total Cost	\$4,652,500.00
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- Construct seventeen (17) parking stalls for the Guam Law Library, JOG Land Improvement Project.

Estimated construction Cost	\$75,000.00
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- Windows replacement project at the Old Superior Court to prevent leaks and internal water damage caused by rain and moisture that is being experienced by the Probation Services Division.

Estimated replacement cost	\$ 275,000.00
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- Skylight Replacement and Roof Repair for the Judiciary of Guam

Estimated construction management cost, replacement and repair	\$1,400,000.00
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Completed/Ongoing Technology/Equipment Projects:

- Implemented a new Case Management Information System (CMS), to include e-payments, Jury Management System and Enterprise Resource Planning (ERP) Systems;
- Implemented Video Teleconferencing for three (3) courtrooms in the Hagatna Facility and one (1) at the Northern Court Satellite.
- Implementation of a Virtual Computerized Criminal History (VCCH) formerly known as the Criminal Justice Information System (CJIS) for Guam. This technology will allow instantaneous and “real-time” access to complete criminal history records to be viewed by our local, federal and DOD law enforcement partners.
- Ongoing implementation of a Digital Court Calendar Display System that will support the Supreme and Superior Court, thus eliminating hard copy calendars. This system will include public notices, which will also be digitized for public viewing within the JOG and the Court Website.
- Ongoing implementation of e-Filing and Public Access Systems for the Supreme Court and Superior Court.

Ongoing Technology/Equipment Projects – Pending funds availability:

- Replacement/upgrade and design of Internal Network Infrastructure such as servers, switches, hubs, cabling, speed enhancement and hardware to support data exchange and case management.
- Infrastructure replacement and upgrade. **\$203,000.00**
- Integration of criminal history records among various law enforcement databases from the Guam Police Department, Department of Corrections, Office of the Attorney General, and JOG’s Case Management System.
- Integration of criminal history records. **\$200,000.00**
- Repair/Replacement of the Court Security Access Control System to replace failing cameras and panels due to age, provide longer life UPSs for Court Security System, replace DVR unit to increase capacity for additional cameras and security features, install intrusion detection system (IDS) in the consolidated arms room, etc.
- Repair/Replacement of Court Security Access Control System **\$254,000.00**
- Implementation of Multi-Session Video Teleconferencing Systems for all courtrooms
- Video conferencing equipment upgrades **\$120,000.00**

The requested capital improvement projects and related equipment needs are conservative cost estimates of upgrades necessary to support projected growth and expansion of services which are constitutionally and statutorily mandated to be provided to all sectors of our community, inclusive of the military.

The demands on the Judiciary's infrastructure and judicial services provided to the civilian and military communities must be addressed and financially supported in order to adequately deliver services to current and the anticipated population.

As previously mentioned, construction and/or renovation improvements in the Guam Judicial Center in Hagatña are consistent with our Master Plan and 2012-2015 Strategic Plan "Our way forward" and will ensure that the Judiciary is better prepared to handle the corresponding population growth.

It cannot be underestimated that the Northern Court Satellite will continue to alleviate overcrowding at the existing Guam Judicial Center, will serve the anticipated population growth in northern Guam as well as the anticipated military build-up in Guam.

SUMMARY

The requested funds, which total **\$8,798,100.00**, for JOG's facilities, equipment and technology requirements, will undoubtedly provide the necessary resources to assist and prepare the JOG for the anticipated growth of judicial services for Guam.

Therefore, in order to successfully manage the impact of the military buildup in 2014, it is critical that the Hagatna Judicial Center and the Northern Court Satellite projects be financially supported for immediate expansion and improvements.

Thank you for the opportunity for Judiciary of Guam to provide comments relative to the DSEIS on future Case Filings, Staffing Requirements and on the state of our Facilities and Equipment/Technology needs.

If you have any questions regarding these comments, please contact Deputy Administrative Director, Robert S. Cruz at 475-3128 or via email at rcruz@guamcourts.org or Procurement & Facilities Management Administrator, Raymond L.G. Taimanglo at 475-3433 or via email at rtaimanglo@guamcourts.org.

Senseramente,


JOSHUA F. TENORIO,
Acting Administrator of the Courts

Attachment

cc: Robert S. Cruz, Deputy Administrative Director

CASE FILINGS	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Adoption	59	83	81	54	56	66	59	67	57	43	28	48	45
Child Support	406	272	830	579	576	575	607	476	438	499	482	370	315
Civil	2,197	1,875	2,121	1,322	1,307	1,529	1,569	1,553	1,897	2,064	1,984	1,395	1,727
Criminal Felony	654	567	615	449	485	564	618	618	671	762	727	735	754
Criminal Misdemeanor	917	1,179	1,199	975	940	1,044	1,084	1,194	1,346	1,273	1,300	1,207	1,125
Domestic	856	746	1,276	2,153	2,494	927	881	868	868	849	878	869	742
Juvenile Division (JD)	234	324	340	465	242	264	362	405	276	235	316	458	229
Juvenile Special Proceedings (JP)	1,076	960	955	955	947	979	983	944	828	895	781	773	707
Juvenile Drug Court (JC)				144	141	214	169	151	141	84	131	217	176
Land Registration	8	4	6	4	2	4	1	3	5	6	2	1	8
Probate	153	133	171	146	162	157	172	215	182	176	154	190	176
Special Proceedings	252	267	284	273	219	199	228	247	264	260	216	202	204
Small Claims	3,798	2,664	2,767	3,178	2,329	3,539	2,443	2,214	2,154	1,869	2,125	1,643	1,933
Foreign Orders				2	1	3	2	0	1	6	3	1	1
Protective Orders						61	83	81	93	83	125	137	167
Restitutions and Fines									0	72	42	32	43
TOTAL:	10,610	9,074	10,645	10,699	9,901	10,125	9,261	9,036	9,221	9,176	9,294	8,278	8,352

TRAFFIC CITATION FILINGS	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	4,910	5,295	8,682	9,814	11,486	14,191	13,605	14,875	14,921	13,441	11,867